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Examiner:  
Art Unit: 3727

PHONE #:

(703) 605-4670

FROM:

Victor E. Johnson

FAX #:

(415) 398-3249

PHONE #:

(415) 781-1989

EMAIL:

johnson.victor@dorsey.com

RE:

U.S. Patent Application No. 10/764,434 for  
*Closures and Containers in Combination Therewith*  
Our Docket No. 33775/US/RBC/VEJ (Matter No. 463678-00226)

COMMENTS:

Kindly acknowledge receipt of the following documents by return facsimile:

- 1) Supplemental INFORMATION DISCLOSURE STATEMENT;
- 2) Substitute Form 1449A/PTO (PTO/SB/8A);
- 3) Copy of one (1) cited documents; and
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REFERENCE # 463678-00226

PATENT

Attorney Docket No. 33775/US/RBC/VEJ  
Attorney Matter No. 463678-00226  
Application No. 10/764,434

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Gerry MAVIN *et al.*

Application No. 10/764,434

Filed: January 23, 2004

For: CLOSURES AND CONTAINERS  
IN COMBINATION THEREWITH

Art Unit: 3727

Examiner: To be assigned

Docket No.: 33775/US/RBC/VEJ

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## SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

This Supplemental Information Disclosure Statement is hereby submitted in accordance with 37 CFR 1.98 and pursuant to Applicant's continuing duty under 37 CFR 1.56 to bring any information which may be material to patentability of this application to the Examiner's attention. The Examiner's attention is directed to the reference(s) cited on the accompanying substitute for form PTO-1449A/PTO. Copies of the cited references are enclosed, unless otherwise noted below. This application was filed after June 30, 2003 or entered the national stage under 35 U.S.C. § 371 after June 30, 2003. Accordingly, copies cited U.S. patents and/or cited U.S. patent application publications are not required, and are thus not provided. M.P.E.P. § 609 (III)(A)(2)(A).

Applicant also makes no representation that the information submitted herewith is in fact material to patentability. The filing of this Information Disclosure Statement shall not be

INFORMATION DISCLOSURE STATEMENT

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PATENT

Attorney Docket No. 33775/US/RBC/VEJ  
Attorney Matter No. 463678-00226  
Application No. 10/764,434

construed as an admission against interest in any manner. Notice of January 9, 1992, 11 O.G. 13-25, at 25.

This Information Disclosure Statement is being filed within three months of the filing date of a national application other than a continued prosecution application, within three months of the date of entry of a national stage, before the mailing date of a first Office action on the merits, or before the mailing date of a first Office action after the filing date of request for continued examination. 37 C.F.R. § 1.97(b). No fee is required.

In the event that this Information Disclosure Statement is filed after the period set forth in above, but before the mailing date of any of a final action, a notice of allowance, or an action that otherwise closes prosecution in the application. 37 C.F.R. § 1.97(c).

- ☒ a. I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1). No fee is required.

A concise explanation of the relevance of the non-English language document(s) is as follows: Japanese Publication No. JP 2002-326644 was cited in a search report by a foreign patent office in a counterpart foreign application and is directed to a cap. See Figs. 1-5 and the attached English-language Patent Abstracts of Japan attached thereto.

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INFORMATION DISCLOSURE STATEMENT

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(1153263)

PATENT

Attorney Docket No. 33775/US/RBC/VEJ  
Attorney Matter No. 463678-00226  
Application No. 10/764,434

The Commissioner is hereby authorized to charge any underpayment of the following fees associated with this communication, including any necessary fees for extension of time, or credit any overpayment to Deposit Account No. 50-2319 (Matter No. 463678-00226; Docket No. 33775/US/RBC/VEJ).

Date: 10/8/2004

Respectfully submitted,

By: 

Victor E. Johnson, Reg. No. 41,546  
/for/ Robert B. Chickering, Reg. No. 24,286

DORSEY & WHITNEY LLP  
Four Embarcadero Center, Suite 3400  
San Francisco, CA 94111-4187  
Telephone: (415) 781-1989 Facsimile: (415) 398-3249

INFORMATION DISCLOSURE STATEMENT

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Substitute PTO/SB/8A (08-00)

Substitute for form 1449A/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (use as many sheets as necessary)				<b>Complete if Known</b>	
				Application Number	10/764,434
				Filing Date	January 23, 2004
				First Named Inventor	Gerry MAVIN et al.
				Group Art Unit	3727
Examiner Name	To be assigned				
Sheet	1	of	1	Attorney Docket Number	33775/US/RBC/VEJ

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No.	U.S. Patent Document Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	A1	2,964,208	12-13-1960	Heyl et al.	
	A2	3,339,772	09-05-1967	Miller	
	A3				
	A4				
	A5				
	A6				
	A7				
	A8				
	A9				
	A10				

FOREIGN PATENT DOCUMENTS						
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	A11	JP 2002-326644	11-12-2002	Nissui Pharm Co Ltd	Abstract; Figs. 1-5	
	A12					
	A13					
	A14					
	A15					

NON PATENT LITERATURE DOCUMENTS				
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	A16			
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<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 18 if possible. <sup>6</sup> Applicant is to place a check mark here if English Language Translation is attached.

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